



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

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DIVISION OF ECONOMIC JUSTICE
ANTITRUST BUREAU

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October 12, 2015

Mr. Martin Shkreli
Chief Executive Officer
Turing Pharmaceuticals LLC
1177 Avenue of the Americas, 39th Floor
New York, NY 10036

Dear Mr. Shkreli:

Turing Pharmaceuticals recently acquired the drug Daraprim® (pyrimethamine), which we understand is the only drug approved by the Food and Drug Administration (FDA) for the treatment of toxoplasmosis. It has been publicly reported that shortly after Turing acquired the rights to Daraprim, it raised the price approximately 5000% (from \$13.50 to \$750 per tablet). While competition might ordinarily be expected to deter such a massive price increase, it appears that Turing may have taken steps to prevent that competition from arising. We understand that Turing is not permitting Daraprim to be sold in retail pharmacies, but rather is distributing it only through a small number of specialty pharmacies. Public reports indicate that the purpose of this restricted distribution scheme is to prevent generic manufacturers from obtaining access to samples of Daraprim for use in bioequivalency studies, which would in turn inhibit those firms from obtaining FDA approval to sell their competitive drugs.

Turing's actions may be restraining competition unlawfully, and have the potential to greatly impede access to a drug that is critical for the public health. Indeed, your own company's public disclosures indicate Turing's restrictive distribution scheme for Daraprim may have already led to hospitals and clinics "having trouble accessing the product."¹

¹ Turing's September 18, 2015 press release, available at <http://www.turingpharma.com/media/press-release?headline=important-news-about-daraprim%25c2%25ae-%28pyrimethamine%29>

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Please contact our office immediately to address these concerns. You must also retain all documents that are potentially relevant to this inquiry.

Sincerely,



Eric J. Stock